

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

PATRICIA CHARLOTTE JACKSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-20-01017-PRW
	)	
KILOLO KIJAKAZI, Commissioner	)	
of the Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff, Patricia Charlotte Jackson, initiated this action seeking judicial review of the Defendant Commissioner’s final decision denying her application for disability insurance benefits under the Social Security Act.<sup>1</sup> Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to U.S. Magistrate Judge Suzanne Mitchell,<sup>2</sup> who has issued a Report and Recommendation (Dkt. 31) recommending that the Commissioner’s decision be reversed and remanded for further administrative proceedings because the Administrative Law Judge (ALJ) failed to articulate why he addressed only a portion of the medical opinion provided by Plaintiff’s treating nurse practitioner, A. Brook Smith.<sup>3</sup>

The parties were advised of their right to object to the Report and Recommendation (Dkt. 31) by December 7, 2021. No objections have been filed as of this date. Having failed

---


<sup>1</sup> See 42 U.S.C. §§ 405(g), 423(d)(1)(A).

<sup>2</sup> Enter Order (Dkt. 28) at 1.

<sup>3</sup> R&R (Dkt. 31) at 2, 9–14.

to object, the parties have waived their right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 31).<sup>4</sup> Accordingly, the Court **ADOPTS** the Report and Recommendation (Dkt. 31), **REVERSES** the Commissioner's decision, **REMANDS** the matter for further administrative proceedings consistent with the Report and Recommendation (Dkt. 31), and **ORDERS** that judgment issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

**IT IS SO ORDERED** this 10th day of January 2022.



---

PATRICK R. WYRICK  
UNITED STATES DISTRICT JUDGE

---

<sup>4</sup> *United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059 (10th Cir. 1996); *cf.* 28 U.S.C. § 636(b)(1) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”).